



1AP15 Rec'd PCT/PTO 20 OCT 2006

Dkt. 65532-A-PCT-US/JPW/AJM/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lawrence Lum and Randall Lee

Serial No.: 10/553,853

Int'l Filing Date: April 23, 2003

For : COMPOSITIONS AND METHODS FOR STEM CELL DELIVERY

1185 Avenue of the Americas  
New York, New York 10036  
October 18, 2006

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO AUGUST 18, 2006  
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This Communication is submitted in response to an August 18, 2006 Notification of Missing Requirements Under 35 U.S.C. §371 In The United States Designated/Elected Office (DO/EO/US) ("Notice") issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice is attached hereto as **Exhibit A**. The Notice provides a period of two months for filing a response. Therefore, a response to the August 18, 2006 Notice is due October 18, 2006. Accordingly, this Communication is being timely filed.

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**REMARKS**

The Notification of Missing Requirements indicates that the oath or declaration is unsigned. In response, applicants submit as **Exhibit B** a signed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.497(a). In compliance with 37 C.F.R. §1.497(b), the Declaration refers to the application's international application number and international filing date.

The Notice indicates that in order to avoid abandonment, a \$65.00 surcharge for late submission of the oath or declaration is required. In response, applicants enclose a check for this amount.

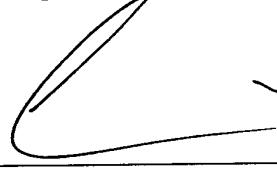
In addition, in the event that the United States Patent and Trademark Office charged any fees in addition to those required for a small entity, applicants hereby request a refund for any such fees. This refund should be credited to Deposit Account No. 03-3125 under Docket No. 65532-A-PCT-US.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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No fee, other than the enclosed \$65.00 fee, is deemed necessary in connection with the filing of this Communication. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
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Alan J. Morrison  
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/18/06  
Date

Alan J. Morrison  
Reg. No. 37,399

10/26/2006 GFREY1 00000122 10553853  
65.00 OP  
01 FC:2617

# Exhibit A



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,853	Lawrence G Lum	65532-A-PCT-US/JPW/JW
INTERNATIONAL APPLICATION NO.		
PCT/US03/12679		
I.A. FILING DATE		PRIORITY DATE
04/23/2003		04/23/2002
CONFIRMATION NO. 6554		
371 FORMALITIES LETTER		
 *OC000000020086651*		

*File Missing Parts:*

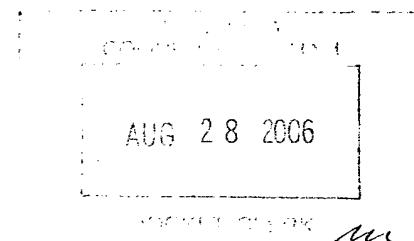
2 mo. 10/18/06  
 3 mo. 11/18/06  
 4 mo. 12/18/06  
 5 mo. 1/18/07  
 6 mo. 2/18/07  
 7 mo. 3/18/07

Date Mailed: 08/18/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/19/2005
- Copy of the International Search Report filed on 10/19/2005
- Preliminary Amendments filed on 10/19/2005
- Information Disclosure Statements filed on 02/28/2006
- Oath or Declaration filed on 10/19/2005
- Request for Immediate Examination filed on 10/19/2005
- U.S. Basic National Fees filed on 10/19/2005
- Priority Documents filed on 10/19/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Applicants: Lawrence Lum and  
 Randall Lee  
 U.S. Serial No.: 10/553,853  
 Filed: April 23, 2003  
 Exhibit A

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,853	PCT/US03/12679	65532-A-PCT-US/JPW/JW

FORM PCT/DO/EO/905 (371 Formalities Notice)